

JOON H. KIM
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Southern District of New York
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UNITED STATES OF AMERICA, :

: DECLARATION OF
: PUBLICATION

- v. -

:

S1 14 Cr. 722 (KMK)

ROBERT SMUTEK, :

Defendant. :

:

- - - - - X

I, ALEXANDER J. WILSON, pursuant to Title 28, United States Code, Section 1746, hereby declare under the penalty of perjury:

That I am an Assistant United States Attorney in the office of the United States Attorney for the Southern District of New York, and

That attached to this declaration are (1) a true and correct copy of a notice of criminal forfeiture in this action, (2) a true and correct copy of an Advertisement Certification Report, indicating that the aforementioned notice was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on July 13, 2017 as

required by Rule G(4) (a) (iv) (C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and

That both documents referenced-above were obtained from a Consolidated Asset Tracking System maintained by the Department of Justice.

Dated: New York, New York
November 16, 2017

/s/
ALEXANDER J. WILSON

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
COURT CASE NUMBER: S1 14 CR. 722 (KMK); NOTICE OF FORFEITURE**

Notice is hereby given that on December 29, 2016, in the case of U.S. v. Robert Smutek, Court Case Number S1 14 CR. 722 (KMK), the United States District Court for the Southern District of New York entered an Order condemning and forfeiting the following property to the United States of America:

Approximately \$45,000.00 in United States Currency (14-FDA-000067) seized on or about April 20, 2014 from a safe located on the Second Floor of 415 North Broadway, Sleepy Hollow, NY

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file a Petition within 60 days of the first date of publication (July 13, 2017) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The petition must be filed with the Clerk of the Court, United States Courthouse, 300 Quarrapos Street, White Plains, NY 10601, and a copy served upon Assistant United States Attorney Alexander J. Wilson, One Saint Andrews Plaza, New York, NY 10007. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between July 13, 2017 and August 11, 2017. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Robert Smutek

Court Case No: S1 14 CR. 722 (KMK)
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	07/13/2017	24.0	Verified
2	07/14/2017	24.0	Verified
3	07/15/2017	24.0	Verified
4	07/16/2017	24.0	Verified
5	07/17/2017	24.0	Verified
6	07/18/2017	24.0	Verified
7	07/19/2017	24.0	Verified
8	07/20/2017	24.0	Verified
9	07/21/2017	24.0	Verified
10	07/22/2017	24.0	Verified
11	07/23/2017	24.0	Verified
12	07/24/2017	24.0	Verified
13	07/25/2017	24.0	Verified
14	07/26/2017	24.0	Verified
15	07/27/2017	24.0	Verified
16	07/28/2017	24.0	Verified
17	07/29/2017	24.0	Verified
18	07/30/2017	24.0	Verified
19	07/31/2017	24.0	Verified
20	08/01/2017	23.9	Verified
21	08/02/2017	23.9	Verified
22	08/03/2017	23.9	Verified
23	08/04/2017	23.9	Verified
24	08/05/2017	23.9	Verified
25	08/06/2017	23.8	Verified
26	08/07/2017	23.8	Verified
27	08/08/2017	23.8	Verified
28	08/09/2017	23.8	Verified
29	08/10/2017	23.8	Verified
30	08/11/2017	23.8	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.